

O I P DECEMBER 9, 2004

DEC 13 2004

PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John E. Hoffmann, George Rodney Nelson, Jr., Daniel I. Riley, Antoine J. Roush, and James A. Proctor, Jr.

Application No.: 09/773,253 Group: 2637

Filed: January 31, 2001 Examiner: Guillermo Munoz

Confirmation No.: 4333

For: MAXIMIZING DATA RATE BY ADJUSTING CODES AND CODE RATES IN CDMA SYSTEM

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

Dec 9, 2004

Date

Christine A. Budd

Signature

CHRISTINE A. BUDD

Typed or printed name of person signing certificate

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment or filing in the above-identified application.

[] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

| | (COL. 1) | (COL. 2) | (COL. 3) | SMALL ENTITY | OTHER THAN SMALL ENTITY |
|---|---|----------|---------------------------------------|------------------|----------------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | |
| TOTAL | 11 | MINUS | * 20 | 0 | |
| INDEP | 1 | MINUS | ** 3 | 0 | |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | | |
| | RATE | | ADDET. FEE | | |
| X | \$ 25 | \$ 0 | | | |
| X | \$100 | \$ 0 | | | |
| + | \$180 | \$ | | | |
| | RATE | | ADDET. FEE | | |
| X | \$50 | \$ 0 | | | |
| X | \$200 | \$ 0 | | | |
| + | \$360 | \$ | | | |

* not fewer than 20

** not fewer than 3

TOTAL = \$ 0

TOTAL = \$ 0

Please charge Deposit Account No. 08-0380 for the following fees:

[] Petition for [] month Extension of Time \$ _____
[] Amendment Fee \$ _____
[] Other Fees: _____ \$ _____

TOTAL: \$ 0

A check is enclosed in payment of the following fees:

[X] Petition for a one month Extension of Time \$ 120
[] Amendment Fee \$ _____
[] Other Fees: _____ \$ _____

TOTAL: \$ 120

[X] A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated: 12/9/20